

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RUCHELL CINQUE MAGEE,

Plaintiff,

v.

LUCY H. KOH, et al.,

Defendants.

Case No. [18-cv-02363-WHO](#) (PR)

**ORDER OF DISMISSAL**

Plaintiff Ruchell Cinque Magee has not complied with the Court's order to file an application to proceed *in forma pauperis* ("IFP") or pay the filing fee. Accordingly, this action is DISMISSED (without prejudice) for failing to comply with the Court's order and for failing to prosecute, *see* Federal Rule of Civil Procedure 41(b). Because this dismissal is without prejudice, Magee may move to reopen. Any such motion must be filed with a complete IFP application or payment for the \$400.00 filing fee.

The Clerk shall enter judgment in favor of defendants, and close the file.

**IT IS SO ORDERED.**

**Dated:** June 4, 2018

  
WILLIAM H. ORRICK  
United States District Judge